

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DIGITAL MEDIA SOLUTIONS, LLC,)	CASE NO. 1:19-cv-145
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	
)	
SOUTH UNIVERSITY OF OHIO,)	
LLC, et. al.,)	
)	
Defendants.)	

**[Proposed] Order Granting the Receiver’s Motion to
Approve Distribution Per Settlement Agreement**

The Court now considers what should be the final motion filed in the within matter regarding what should be the final steps to be taken to conclude the matter. After years of litigation, the Court successfully assisted the Receiver and key former officers and directors in finding a resolution of the Receiver’s claims against them. Part of that resolution involved the resolution of a related case against certain of the Receivership Entities by certain of their former students. That matter was captioned *Emmanuel Dunagan, et al. v. Illinois Institute of Art-Chicago, LLC, et al.*, N.D. Illinois Case No. 1:19-cv-809 (“*Dunagan*”). Per the parties’ agreement, the settlement of the within matter was contingent upon the entry of a final, non-appealable approval of the settlement of the *Dunagan* matter. It having been brought to this Court’s attention that the *Dunagan* matter’s settlement is now approved with a final non-appealable order of the Northern District of Illinois, it is time to authorize the Receiver to make the distribution contemplated in the settlement this Court approved in November 2024 (ECF No. 852).

The Receiver's Motion to Approve Distribution Per Settlement Agreement is hereby approved and he is hereby instructed to transfer the funds he holds in escrow to accounts held in the name of the Litigation Liquidation Trust this Court approved in November 2024 (ECF No. 858). The Court expects the Trust to make distributions of those funds per its Section 3.2.

While the distribution to the Trust should be the final step needed to resolve this matter, this Court will retain jurisdiction over this matter, and the Trust, to ensure the Trust serves its intended purposes.

IT IS SO ORDERED.

DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

**MCCARTHY, LEBIT, CRYSTAL
& LIFFMAN CO., L.P.A.**

/s/ Hugh D. Berkson

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